

# **UNITED STATES ARMY CORPS OF ENGINEERS LOUISVILLE, HUNTINGTON, AND PITTSBURGH DISTRICTS**

## **FINDING OF NO SIGNIFICANT IMPACT**

### **Proposed Ecosystem Restoration Program Ohio River Corridor**

1. The United States Army Corps of Engineers (USACE) Louisville, Huntington, and Pittsburgh Districts are pursuing authorization of a Comprehensive Ecosystem Restoration Program along the mainstem Ohio River and its approximate 100-year floodplain. The proposed program would include development of a Program Implementation Plan (PIP) that evaluates and prioritizes ecosystem restoration needs and efforts throughout the 981 mile-long corridor. The need for such a program was identified during the course of the Ohio River Mainstem System Study (ORMSS) which is evaluating long-term investment strategies for major navigation improvements along the entire Ohio River. However, during the course of the ORMSS, it was realized that a program for the ecosystem restoration should become a separable authority from any likely future navigation authorization. Therefore, a Notice of Intent (NOI) was published in the June 9, 2000 Federal Register that "an ecosystem restoration program would be developed as a separable product of the Ohio River Main Stem System Study." Both the ecosystem restoration program and any future navigation improvements have independent utility and do not depend on each other for their justification. Rather than replacing existing restoration authorities of the Corps of Engineers and others, the proposed program is intended to compliment and build upon the accomplishments of those efforts.
2. An interagency, multi-disciplinary, environmental team was established to evaluate major navigation and environmental improvement needs throughout the river system. Evaluations of human-induced changes led to development of the following ecosystem restoration objectives:
  - Restore 25,000 acres of bottomland hardwood forest habitat,
  - Improve 1,250 acres of aquatic habitat,
  - Restore/protect 40 islands,
  - Improve 100 miles of shoreline/riparian habitat, and
  - Restore 25,000 acres of wetlands.
3. In addition to the No Action (i.e., no new program authority) Alternative, two program alternatives for ecosystem restoration were examined. These were the Corps of Engineers Preferred Program Alternative and a Regionally Preferred Program Alternative. The Corps Preferred Alternative recommends authorization of an ecosystem restoration program for the Ohio River Corridor that is consistent with current law and policy for ecosystem restoration projects. The Regionally Preferred Alternative would also result in establishment of an ecosystem

restoration program, but includes features more favorable to non-federal sponsors (e.g., cost share ratio and credit for work-in kind) than does the Corps Preferred Alternative. The Regionally Preferred Alternative also includes features such as:


- projects on Federal fee owned lands would be implemented at 100 percent Federal expense,
- projects to benefit Federal Trust Resources (e.g., Federally listed species, interjurisdictional fisheries, and species protected by treaty or international convention) would be funded 100 percent by Federal funds, and
- Federal funds would be used to conduct a needs assessment for the corridor and to conduct long-term monitoring.

4. An Ohio River Corridor Ecosystem Restoration Program would be implemented through a broad array of individual projects developed within the framework of an over-arching, integrated plan. Typical individual actions are likely to include: hydrologic modifications to restore wetlands, plantings, shoreline protection, construction of in-water habitat features, dredging, island creation, and flow modification. Each individual project would undergo feasibility level study prior to project approval. As part of the study process for each project, environmental impacts would be assessed as required under the National Environmental Policy Act. The impact assessment process would include examination of individual projects for compliance with other applicable laws, regulations, and Executive Orders including but not limited to the Clean Water Act; Endangered Species Act; National Historic Preservation Act; Environmental Justice Executive Order; Clean Air Act; Fish and Wildlife Coordination Act; Resource Conservation and Recovery Act, and Comprehensive Environmental Response, Compensation, and Liability Act.
5. In accordance with ER 200-2-2, Policy and procedures for Implementing NEPA and ER 1105-2-100, Planning Guidance, an integrated Decision Document/Environmental Assessment has been prepared and is being circulated to other agencies and the public for review. At the beginning of the ORMSS process, a Notice of Intent (NOI) to prepare an Environmental Impact Statement for navigation improvements was published in the Federal Register on Wednesday, October 21, 1998. This NOI also announced the Corps' intent to study ecosystem restoration needs. In addition, three scoping meetings were held in November 1998 at Evansville, IN, Huntington, WV, and Pittsburgh, PA to solicit public views on all aspects of the ORMSS. On June 9, 2000, a Notice of Intent to Prepare an Environmental Assessment for Proposed Authorization of an Ohio River Ecosystem Restoration program was also published in the Federal Register to solicit public input. Comments received from agencies and the public throughout this process were utilized in preparation of the Decision Document/Environmental Assessment. The report indicates no significant adverse environmental impacts would result from authorization of the proposed program. The proposed program would result in substantial positive environmental benefits to ecological complexes along the Ohio River. Measures are recommended to ensure individual projects under the program would be

implemented in a manner to avoid or minimize impacts to environmental and cultural resources.

6. Pursuant to the Fish and Wildlife Coordination Act, the U.S. Fish and Wildlife Service (USFWS) and natural resources counterparts from each of the six states along the Ohio River were consulted with regard to the proposed program. The Decision Document/Environmental Assessment includes a Draft Fish and Wildlife Coordination Act Report (DFWCAR) prepared by the USFWS and coordinated with each of the six states. The DFWCAR clearly supports and recommends establishment of an ecosystem restoration program for the Ohio River Corridor, although some of the recommendations in the report are not incorporated in the Corps Preferred Alternative.
7. I have reviewed the Decision Document/Environmental Assessment for the proposed Ohio River Corridor Ecosystem Restoration Program and responses to its review. I have concluded that authorization of the program as recommended by the Corps of Engineers would not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969. Accordingly, I have concluded that an Environmental Impact Statement covering the proposed program is not required.

12 Oct 00  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
ROBERT H. GRIFFIN  
Brigadier General, US Army  
Commanding